

**COMBINED DECLARATION AND POWER OF ATTORNEY**  
(Original, Design, National Stage of PCT  
or CIP Application)

**ATTORNEY'S DOCKET NO.**  
32953

As a below named inventor I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**QUALITY ASSURANCE PROGRAM AND METHOD FOR MEAT PRODUCTION**

the specification of which: (complete (a), (b) or (c) for type of application)

**REGULAR OR DESIGN APPLICATION**

(a) ☒ is attached hereto.

(b) ☐ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

**PCT FILED APPLICATION ENTERING NATIONAL PHASE**

(c) ☐ was described and claimed in International Application No. \_\_\_\_\_ filed \_\_\_\_\_ and as amended on \_\_\_\_\_ (if any).

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56(a).

☐ In compliance with this duty there is attached an information disclosure statement. 37 CFR 1.97.

**PRIORITY CLAIM**

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:  
(complete (d) or (e))

(d) ☒ no such applications have been filed.

(e) ☐ such applications have been filed as follows

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS PRIOR TO SAID APPLICATION**

Country	Application No.	Date of Filing	Date of Issue	Priority Claimed
				<input type="checkbox"/> YES <input type="checkbox"/> NO
				<input type="checkbox"/> YES <input type="checkbox"/> NO
				<input type="checkbox"/> YES <input type="checkbox"/> NO

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS PRIOR TO SAID APPLICATION**


**PROVISIONAL**

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States application(s) listed below:

Application Serial No. \_\_\_\_\_  
Filing Date \_\_\_\_\_ Status (patented, pending, abandoned) \_\_\_\_\_

**CONTINUATION-IN-PART**

(Complete This Part Only If This Is A Continuation-In-Part Application)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56(a), which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application:

Application Serial No. \_\_\_\_\_  
Filing Date \_\_\_\_\_ Status (patented, pending, abandoned) \_\_\_\_\_

**POWER OF ATTORNEY**

As a named inventor, I hereby appoint the following attorney(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Robert D. Hovey	19,223	Tracy L. Bomman	42,347
Warren N. Williams	19,156	Tracey S. Truitt	43,205
Stephen D. Timmons	26,513	Kameron D. Kelly	44,181
John M. Collins	26,262	Gerhard P. Shipley	45,682
Thomas H. Van Hoozer	32,761	David V. Ayers	46,529
Thomas B. Luebbering	37,874	Greg J. Skoch	48,267
Andrew G. Colombo	40,565	David L. Terrell, Patent Agent	50,576
Scott R. Brown	40,535	Shraddha A. Upadhyaya	49,025

SEND CORRESPONDENCE TO:  
THOMAS B. LUEBBERING  
HOVEY WILLIAMS LLP  
2405 Grand, Suite 400  
Kansas City, Missouri 64108

DIRECT TELEPHONE CALLS TO:  
(816) 474-9050

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor	Raymond Hawn		
Inventor's Signature	<i>Raymond B. Hawn</i>		
Date	10-16-02	Country of Citizenship	United States of America
Residence	2705 Westminster, Hutchison, Kansas 67502		
Post Office Address	2705 Westminster, Hutchison, Kansas 67502		
Full name of second joint inventor, if any	Robert W. Balding		
Inventor's Signature	<i>Robert W. Balding</i>		
Date	10/16/02	Country of Citizenship	United States of America
Residence	1424 Homestead Place, McPherson, Kansas 67460		
Post Office Address	1424 Homestead Place, McPherson, Kansas 67460		



RECEIVED

FEB 18 2003

HOVEY WILLIAMS LLP

FEBRUARY 12, 2003

PTAS

Under Secretary of Commerce For Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
www.uspto.gov

HOVEY WILLIAMS LLP  
THOMAS B. LUEBBERING  
2405 GRAND BOULEVARD, SUITE 400  
KANSAS CITY, MO 64108



\*102266238A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/23/2002

REEL/FRAME: 013421/0844  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
HAWN, RAYMOND

DOC DATE: 10/16/2002

ASSIGNOR:  
BALDING, ROBERT W.

DOC DATE: 10/16/2002

ASSIGNEE:  
HEARTLAND PREMIUM BEEF, INC.  
23 EAST FIRST STREET, SUITE 5  
HUTCHISON, KANSAS 67501

SERIAL NUMBER: 10278875  
PATENT NUMBER:

FILING DATE: 10/22/2002  
ISSUE DATE:

LAZENA MARTIN, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

ALECTO

FEB 19 2003

ENTERED BY kth

519

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof. Docket No.: 32953

1. Name of conveying party(ies):

Raymond Hawn, Robert W. Balding

Additional name(s) of conveying party(ies) attached ☐ yes ☒ no

3. Nature of Conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐

Other \_\_\_\_\_

Execution Date: 10/16/02

4. Application number(s) or patent nu

If this document is being filed together with a new application, the execution date of the application is 10/22/02

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: THOMAS B. LUEBBERING, Reg. No. 37,874

Internal Address: HOVEY WILLIAMS LLP

Street Address: 2405 GRAND BOULEVARD, SUITE 400

City: KANSAS CITY State MO Zip 64108

2. Name and address of receiving party(ies):

Name: Heartland Premium Beef, Inc.

Internal Address:

Street Address: 23 East First Street, Suite 5

City Hutchison State KS ZIP 67501

Additional name(s) & address(es) attached? ☐ yes ☒ no

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit account number: 19-0522

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and Signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

THOMAS B. LUEBBERING  
Name of Person Signing

Signature

Date

Total number of pages comprising cover sheet: 4

OMBNo. 0651-0011 (exp. 4/94)

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks  
Box Assignments  
Washington, D.C. 20231

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C., 20231, and the Office of Management and Budget, Paperwork Reduction Project, (0651-0011), Washington, D.C. 20503

10/29/2002 DBYRNE 00000081 10278875

01 FC:0021

40.00 00

JCE95 U.S. PTO  
10/278875

10/23/02

## ASSIGNMENT

WHEREAS, WE, **Raymond Hawn**, of 2705 Westminster, Hutchison, Kansas 67502; and **Robert W. Balding**, of 1424 Homestead Place, McPherson, Kansas 67460, have jointly invented certain new and useful improvements in a

### **QUALITY ASSURANCE PROGRAM AND METHOD FOR MEAT PRODUCTION**

for which we are about to make application for Letters Patent of the United States; and

WHEREAS, **Heartland Premium Beef, Inc.**, a corporation duly organized under the laws of the State of Kansas and having its principal place of business at 23 East First Street, Suite 5, Hutchison, Kansas 67501, is desirous of acquiring an interest in, to and under said invention, said application and any and all Letters Patent which may be granted for or upon said invention in the United States of America and all countries foreign thereto.

NOW, THEREFORE, to all whom it may concern be it known that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, WE, **Raymond Hawn** and **Robert W. Balding**, as co-inventors, have sold, assigned and transferred, and by these presents do sell, assign and transfer unto said **Heartland Premium Beef, Inc.** the full and exclusive right, title and interest, throughout the world, in, to and under the following:

- (a) said invention as fully set forth and described in the application executed by each of us as co-inventors herewith preparatory to obtaining Letters Patent of the United States therefor and identified under attorney Dkt. No. 32953;
- (b) said application;
- (c) any and all refilings, divisions, and continuations of said application;
- (d) any and all Letters Patent of the United States of America which may issue from said application, refilings, divisions and continuations;
- (e) any and all reissues of said Letters Patent of the United States of America;

(f) any and all applications for Letters Patent on said invention which have heretofore been filed or may hereafter be filed in any and all countries foreign to the United States of America, together with all rights to file and to claim priority in connection with said foreign-filed applications;

(g) any and all refilings, divisions and continuations of said foreign-filed applications;

(h) any and all Letters Patent of countries foreign to the United States of America which may issue from the said foreign-filed applications, refilings, divisions and continuations; and

(i) any and all extensions of, and additions to, said Letters Patent of countries foreign to the United States of America.

ALL of the above shall be held and enjoyed by said **Heartland Premium Beef, Inc.** for its own use and behoof, and for its successors, legal representatives and assigns, to the full end of the term for which said Letters Patent may be granted, and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent in accordance with this Assignment.

Date: 10-16-02

Raymond Hawn  
Raymond Hawn

STATE OF Kansas )  
County of Reno ) ss.

On this 16<sup>th</sup> day of October, 2002, before me personally appeared **Raymond Hawn**, to me known to be the person described in and who executed the foregoing instrument, and who duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

My Commission expires:

5-3-03



Linda S. Cox  
Notary Public

Date: 10-16-02

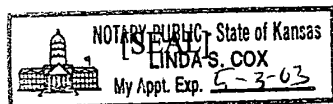
Robert W. Balding  
Robert W. Balding

STATE OF Kansas )  
County of Reno ) ss.

On this 16<sup>th</sup> day of October, 2002, before me personally appeared **Robert W. Balding**, to me known to be the person described in and who executed the foregoing instrument, and who duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

My Commission expires:

5-3-03



Linda S. Cox  
Notary Public